

PATENT
 65793-7009

IN THE PATENT AND TRADEMARK OFFICE

| | |
|--|---|
| <p>In re patent application of:</p> <p>David BARSHIS</p> <p>International Appl. No. PCT/US2004/036362</p> <p>International Filing Date: November 1, 2004</p> <p>Serial No. To be assigned</p> <p>Filed: Filed herewith</p> <p>For: METHOD OF REDUCING NOSOCOMIAL INFECTIONS</p> | <p>Group Art Unit: To be assigned</p> <p>Examiner: To be assigned</p> <p>CERTIFICATE OF EXPRESS MAILING</p> <p>I hereby certify that this correspondence and identified enclosures are being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 and is addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on <u>OCT 31</u>, 2005, Express Mail Label No. <u>EV669152364US</u></p> <p>By <u>Marta Hodur</u> Marta Hodur</p> |
|--|---|

**Mail Stop PCT
 Commissioner For Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450**

**INFORMATION DISCLOSURE STATEMENT
 UNDER 37 CFR § 1.97(b)**

Sir:

In accordance with applicant's duty to disclose information that may be material to the examination of this application, 37 CFR § 1.56, attached hereto is an Information Disclosure Statement. This Information Disclosure Statement is being filed as part of the United States national phase entry of International Application No. PCT/US/2004/036362 filed on November 1, 2004.

The submission of any document herewith is not intended as an admission that such document constitutes prior art against the claims of the present application. Applicant does

PATENT
65793-7009

not waive any rights to take any action that would be appropriate to antedate or otherwise remove as a competent reference any document that is determined to be a prima facie prior art reference against the claims of the present application.

Applicant respectfully requests that the attached Information Disclosure Statement and references be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP Sec. 609.

Date: Oct. 31, 2005

Michelle C. Kim
Michelle C. Kim
Registration No. 51881
Jeffer, Mangels, Butler & Marmaro LLP
1900 Avenue of the Stars, 7th Floor
Los Angeles, CA 90067
310-203-8080
Customer No. 24574

CUSTOMER NUMBER

24574

10555345 - GAU: 1616
JC14 Rec'd FCT/PTD 31 OCT 2005

PTO/SB/08a (07-05)
Approved for use through 07/31/2006, OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
is a collection of information unless it contains a valid OMB control number.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

| | |
|------------------------|----------------|
| Application Number | To be assigned |
| Filing Date | Filed herewith |
| First Named Inventor | David BARSHIS |
| Art Unit | To be assigned |
| Examiner Name | To be assigned |
| Attorney Docket Number | 65793-7009 |

U. S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|-----------------------|--|--------------------------------|--|---|
| | | Number-Kind Code ² (if known) | | | |
| | | US- 6,290,984 | 09-18-2001 | Tapolsky | |
| | | US- 6,391,330 | 05-21-2002 | Ross | |
| | | US- 6,558,689 | 05-06-2003 | Ross | |
| | | US- 6,696,041 | 02-24-2004 | Hansen | |
| | | US- 5,690,958 | 11-25-1997 | McGrath | |
| | | US- 6,015,530 | 01-18-2000 | Porcello | |
| | | US- 6,296,882 | 10-02-2001 | Viamonte | |
| | | US- 6,869,623 | 03-22-2005 | Viamonte | |
| | | US- 2003/0206876 | 11-06-2003 | Buch | |
| | | US- 2003/0078242 | 04-24-2003 | Raad | |
| | | US- 2003/0082107 | 05-01-2003 | Dugger | |
| | | US- 2004/0110738 | 06-10-2004 | Gillis | |
| | | US- 2005/0019430 | 01-27-2005 | Viamonte | |
| | | US- 2005/0043223 | 02-24-2005 | Leach | |
| | | US- 2005/0142069 | 06-30-2005 | Dugger | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |

FOREIGN PATENT DOCUMENTS

[illegible]

| | | | |
|-----------------------|---------------------|--------------------|------------|
| Examiner Signature | /Mina Haghighatian/ | Date Considered | 09/24/2010 |
|-----------------------|---------------------|--------------------|------------|

*EXAMINER Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not further considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.114. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

American LegalNet, Inc.
www.USCourtForms.com

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /MH/